

- C. Keypad 78 and related discussion in the second paragraph on page 8 of the specification that allows for select custom pause settings (controlling timing of the rotation means).
- D. Keypad 80 and related discussion in the third paragraph on page 8 of the specification (whereby both temperature and rotation are controlled).
- E. Keypad 81 and related discussion in the fourth paragraph on page 8 of the specification (whereby temperature is controlled).
- F. +heat keypad 82 and -heat keypad 83 and related discussion in the paragraph bridging pages 8 and 9 (heat control).
- G. Menu save keypad 85 and related discussion in the paragraph bridging pages 9 and 10 and the first paragraph starting on page 10 of the specification (Heating and cooling control).
- H. Reset keypad 93 and related discussion in the final paragraph on page 10 of the specification (Control of rotation).
- I. Melt button 95 and related discussion in the second paragraph on page 11 of the specification (Rotation and heat control).
- J. *Etc.*

### **Claim Rejections – 35 U.S.C. 103**

The rejection of claims 1, 6 and 11 under 35 U.S.C. 103(a) as being unpatentable over either one of Snyder, Jr. (US 4,706,558) or Snyder, Jr. (US 4,907,502) is respectfully traversed.

The Examiner's contention that Snyder, Jr. disclose the claimed invention except for digital programmable rotation means is simply not tenable. Stated another way if you introduced programmable rotation means into either of Snyder, Jr.'s apparatus you should come up with Applicant's invention. This is simply not the case. Snyder, Jr. is incapable of accomplishing the same result as Applicant by the addition or implementation with digital programmable means.

In fact, Snyder, Jr.'s latter patent suggests use of a microprocessor coupled to the baffle to respond to temperature signal (See claim 10 of 4,907,502). Snyder, Jr. never teaches or suggests heat control or bowl rotation and his apparatus was incapable of doing so. Snyder, Jr. was capable of getting an accurate read-out of the temperature of the chocolate in the bowl, but nothing more. He was incapable of controlling heat or rotation and that is where Applicant's invention is an advance over Snyder, Jr.

Where does Snyder, Jr. teach or suggest any of the following?

1. 110 or 220v select.
2. ETM (bowl rotation plus heat intervals)
3. Menu Save/ Delta Adjust
4. Auto/Manual Pause (bowl rotation intervals)
5. Incrementaal user temperature change
6. Ambient Air Sensor.
7. Relative Humidity sensor.
8. Accesible data port
9. Bowl ring.

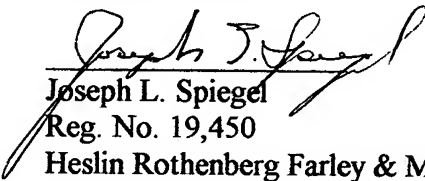
The citation of *In re Venner* is noted, has been rarely cited as a precedent since, but in any event, is factually inapplicable to the instant application.

Reconsideration, allowance and passage to issue are respectfully requested. If any matter remains that can be taken care of by way of telephone call, the undersigned is of the opinion that an interview with the underisgned and the inventor would be helpful.

Respectfully submitted,

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